

# OSTER

Researching Services 100408033

12897 Colonial Dr. • Mt. Airy, Md. 21771  
301-253-6040

RECORDATION NO. 16168-III FILED 1425

OCT 20 1994 - 10 25 AM

0100408033

INTERSTATE COMMERCE COMMISSION

October 20, 1994

Mr. Vernon Williams  
Acting Secretary  
Interstate Commerce Commission  
Recordations Unit  
12th & Constitution Avenue, N.W.  
Washington, D.C. 20423

Dear Mr. Williams:

Please find attached a Partial Termination of Security Agreement dated as of October 13, 1994, which terminates the following railcar from the Security Agreement dated 1/17/89 between Helm Financial Corporation and The First National Bank of Boston filed under ICC Recordation #16168:

DH 12309

Please file this supplemental document as ICC Recordation #16168-~~III~~. The filing fee of \$21 is attached.

Thank you for your assistance.

Sincerely,

*Mary Ann Oster*

Mary Ann Oster  
Research Consultant

Attachments

LICENSING BRANCH

OCT 20 10 22 AM '94

RECEIVED  
OCT 20 1994  
COMMUNICATIONS SECTION

*Counter parts - May Ann Oster*

# Interstate Commerce Commission

Washington, D.C. 20423

10/20/94

OFFICE OF THE SECRETARY

Mary Ann Oster  
Research Consultant  
Oster Researching Services  
12897 Colonial Drive  
Mt. Airy, MD. 21771

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 10/20/94 at 10:25AM , and assigned recordation number(s). 16168-III.

Sincerely yours,

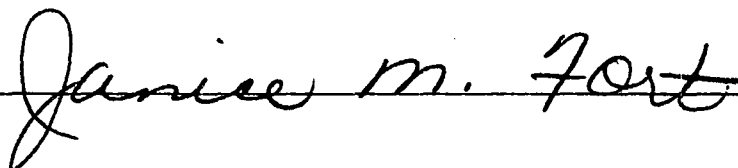


Vernon A. Williams  
Acting Secretary

Enclosure(s)

\$ 21.00 The amount indicated at the left has been received in payment of a fee in connection with a document filed on the date shown. This receipt is issued for the amount paid and in no way indicates acknowledgment that the fee paid is correct. This is accepted subject to review of the document which has been assigned the transaction number corresponding to the one typed on this receipt. In the event of an error or any questions concerning this fee, you will receive a notification after the Commission has had an opportunity to examine your document.

Signature



OCT 20 1994 10:25 AM

PARTIAL TERMINATION OF  
SECURITY AGREEMENT

INTERSTATE COMMERCE COMMISSION

THIS PARTIAL TERMINATION OF SECURITY AGREEMENT, dated as of October 13, 1994, by The First National Bank of Boston, a national banking association, as agent for itself and for Continental Bank, N.A. and Union Bank (collectively, the "**Banks**") under a Credit Agreement dated as of January 15, 1992, as amended from time to time (the "**Agent**"), for the benefit of Helm Financial Corporation, a California corporation ("**Helm**").

1. **Recitals.** Helm owns the one (1) covered hopper railcar bearing Association of American Railroad Designation Number as listed on Exhibit A attached hereto (the "**Unit(s)**"). Helm has granted a blanket security interest in all of its assets now owned or hereafter acquired (the "**Collateral**"), to the Agent, for the benefit of the Banks, upon the terms and conditions provided in that certain Security Agreement, dated as of January 17, 1989, between Helm and the Agent (the "**Security Agreement**") and filed at the Interstate Commerce Commission ("**ICC**") under Recordation No. 16168 filed on January 18, 1989 at 10:55 a.m.

Helm has sold the Units to a third party as permitted by the Security Agreement and desires to do so free and clear of any lien or security interest of the Agent. Pursuant to the terms of the Security Agreement, the Agent, on behalf of the Banks, and Helm desire to terminate the Agent's security interest in the Units.

2. **Termination of Security Interest.** The Agent's security interest in the Units shall be and is hereby terminated upon the filing of this Termination with the ICC and all of the Agent's right, title and interest in and to the Units shall and has become null and void.

This Release shall have no effect on the Bank security interest in and lien on any Collateral other than the Units and said security interest in and lien on such other Collateral is hereby reaffirmed.

IN WITNESS THEREOF, the Bank, pursuant to due authority, has executed this Partial Termination of Security Agreement on the date indicated below its signature.

THE FIRST NATIONAL BANK OF BOSTON,  
as Agent

By: 

Title: VICE PRESIDENT

Date: 10/17/94

COMMONWEALTH OF MASSACHUSETTS )  
 ) §  
COUNTY OF SUFFOLK )

On this 14 day of October, 94, before me, personally appeared Dexter Freeman to me personally know, who being by me duly sworn, says that he is a Vice President of **The First National Bank of Boston**, that said instrument was signed on behalf of said association by authority of its Board of Directors; and he acknowledged that the execution of the foregoing instrument was the free act and deed of said association.

Lori B. Langer  
Notary Public

My Commission Expires:

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LORI B. LANGER  
Notary Public  
My Commission Expires Feb. 24, 2000

EXHIBIT A

To the Partial Termination of Security Agreement  
dated as of October 13, 1994

Description of Equipment:

one (1), 4750 cubic foot, 100-ton, triple center discharge covered hopper railcars; built by Pullman-Standard Division of Pullman Incorporated in 1974.

Unit Numbers:

DH 12309